

**EXHIBIT**

**A**

---

**Troy Brown**

**From:** Jason Winford <jwinford@grsm.com>  
**Sent:** Friday, July 29, 2022 4:44 PM  
**To:** Rogge Dunn; Seth Little  
**Cc:** Anne Besser (AnneBesser@me.com); Bob Bragalone; Greg McAllister; Kent Krause; LaKeisha Phillips; Malerie Anderson Esq. --o/c (manderson@cdklawfirm.com); Troy Brown; Natalie M. McLaughlin (nmmclaughlin@vorys.com)  
**Subject:** RE: [External Sender]FW: Does/Theta TRO to sign  
**Attachments:** Temporary Restraining Order.v11.docx

Seth, here is the copy with all the signatures.

**Jason E. Winford**

Gordon Rees Scully Mansukhani, LLP  
2200 Ross Avenue, Suite 3700

Dallas, TX 75201

(214) 231-4760

[jwinford@grsm.com](mailto:jwinford@grsm.com)

---

**From:** Rogge Dunn <dunn@roggedunngroup.com>  
**Sent:** Friday, July 29, 2022 4:42 PM  
**To:** Jason Winford <jwinford@grsm.com>; Seth Little <Seth.Little@dallascounty.org>  
**Cc:** Anne Besser (AnneBesser@me.com) <AnneBesser@me.com>; Bob Bragalone <bbragalone@grsm.com>; Greg McAllister <McAllister@roggedunngroup.com>; Kent Krause <kkrause@cdklawfirm.com>; LaKeisha Phillips <phillips@roggedunngroup.com>; Malerie Anderson Esq. --o/c (manderson@cdklawfirm.com) <manderson@cdklawfirm.com>; Troy Brown <tbrown@roggedunngroup.com>; Natalie M. McLaughlin (nmmclaughlin@vorys.com) <nmmclaughlin@vorys.com>  
**Subject:** RE: [External Sender]FW: Does/Theta TRO to sign

Thanks Jason

Seth that means we have all signatures

Regards,



Rogge



Rogge Dunn Group, PC  
500 N. Akard Street, Suite 1900  
Dallas, Texas 75201-6629

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**--John F. Kennedy, Inaugural address Jan. 20, 1961**

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**From:** Jason Winford <[jwinford@grsm.com](mailto:jwinford@grsm.com)>  
**Sent:** Friday, July 29, 2022 4:36 PM  
**To:** Seth Little <[Seth.Little@dallascounty.org](mailto:Seth.Little@dallascounty.org)>; Rogge Dunn <[dunn@roggedunngroup.com](mailto:dunn@roggedunngroup.com)>  
**Cc:** Anne Besser ([AnneBesser@me.com](mailto:AnneBesser@me.com)) <[AnneBesser@me.com](mailto:AnneBesser@me.com)>; Bob Bragalone <[bbragalone@grsm.com](mailto:bbragalone@grsm.com)>;  
Greg McAllister <[McAllister@roggedunngroup.com](mailto:McAllister@roggedunngroup.com)>; Kent Krause <[kkrause@cdklawfirm.com](mailto:kkrause@cdklawfirm.com)>; LaKeisha Phillips  
<[phillips@roggedunngroup.com](mailto:phillips@roggedunngroup.com)>; Malerie Anderson Esq. --o/c ([manderson@cdklawfirm.com](mailto:manderson@cdklawfirm.com))  
<[manderson@cdklawfirm.com](mailto:manderson@cdklawfirm.com)>; Troy Brown <[tbrown@roggedunngroup.com](mailto:tbrown@roggedunngroup.com)>; Natalie M. McLaughlin  
<[nmmclaughlin@vorys.com](mailto:nmmclaughlin@vorys.com)> <[nmmclaughlin@vorys.com](mailto:nmmclaughlin@vorys.com)>  
**Subject:** RE: [External Sender]FW: Does/Theta TRO to sign

Rogge, it has been signed as to form and emailed back to you.

**Jason E. Winford**  
Gordon Rees Scully Mansukhani, LLP  
2200 Ross Avenue, Suite 3700  
Dallas, TX 75201  
(214) 231-4760  
[jwinford@grsm.com](mailto:jwinford@grsm.com)

---

**From:** Seth Little <[Seth.Little@dallascounty.org](mailto:Seth.Little@dallascounty.org)>  
**Sent:** Friday, July 29, 2022 4:23 PM  
**To:** Rogge Dunn <[dunn@roggedunngroup.com](mailto:dunn@roggedunngroup.com)>  
**Cc:** Anne Besser ([AnneBesser@me.com](mailto:AnneBesser@me.com)) <[AnneBesser@me.com](mailto:AnneBesser@me.com)>; Bob Bragalone  
<[bbragalone@grsm.com](mailto:bbragalone@grsm.com)>; Greg McAllister <[McAllister@roggedunngroup.com](mailto:McAllister@roggedunngroup.com)>; Jason Winford  
<[jwinford@grsm.com](mailto:jwinford@grsm.com)>; Kent Krause <[kkrause@cdklawfirm.com](mailto:kkrause@cdklawfirm.com)>; LaKeisha Phillips  
<[phillips@roggedunngroup.com](mailto:phillips@roggedunngroup.com)>; Malerie Anderson Esq. --o/c ([manderson@cdklawfirm.com](mailto:manderson@cdklawfirm.com))  
<[manderson@cdklawfirm.com](mailto:manderson@cdklawfirm.com)>; Troy Brown <[tbrown@roggedunngroup.com](mailto:tbrown@roggedunngroup.com)>  
**Subject:** RE: [External Sender]FW: Does/Theta TRO to sign

**Seth Little**

Coordinator, Dallas County Court at Law #1  
600 Commerce St, Ste 550, Dallas TX 75202  
214-653-6581

View Court 1 rules & procedures at:

[https://www.dallascounty.org/government/courts/county\\_court\\_at\\_law/law1/](https://www.dallascounty.org/government/courts/county_court_at_law/law1/)

View case info, docket calendar & scanned documents at:

<https://courtsportal.dallascounty.org/DALLASPROD/>

---

**From:** Rogge Dunn <[dunn@roggedunngroup.com](mailto:dunn@roggedunngroup.com)>

**Sent:** Friday, July 29, 2022 4:21 PM

**To:** Seth Little <[Seth.Little@dallascounty.org](mailto:Seth.Little@dallascounty.org)>

**Cc:** Anne Besser ([AnneBesser@me.com](mailto:AnneBesser@me.com)) <[AnneBesser@me.com](mailto:AnneBesser@me.com)>; Bob Bragalone <[bbragalone@grsm.com](mailto:bbragalone@grsm.com)>; Greg McAllister <[McAllister@roggedunngroup.com](mailto:McAllister@roggedunngroup.com)>; Jason Winford <[jwinford@grsm.com](mailto:jwinford@grsm.com)>; Kent Krause <[krause@cdklawfirm.com](mailto:krause@cdklawfirm.com)>; LaKeisha Phillips <[phillips@roggedunngroup.com](mailto:phillips@roggedunngroup.com)>; Malerie Anderson Esq. --o/c ([manderson@cdklawfirm.com](mailto:manderson@cdklawfirm.com)) <[manderson@cdklawfirm.com](mailto:manderson@cdklawfirm.com)>; Rogge Dunn <[dunn@roggedunngroup.com](mailto:dunn@roggedunngroup.com)>; Troy Brown <[tbrown@roggedunngroup.com](mailto:tbrown@roggedunngroup.com)>

**Subject:** [External Sender]FW: Does/Theta TRO to sign

Seth,

Counsel for Facility Corporation has signed the order agreed as to form and substance as the Judge instructed. (see below). Counsel for Theta National has not signed TRO as to form only. I sent the order to him more than 30 minutes ago (at 3:41 pm).

As noted by counsel for Facility Corporation (in her email below) the order reflects what the Judge ordered today. Since its late in the day, we would appreciate the Judge signing the order today so this doesn't drag out over the weekend.

The parties' counsel of record are being copied with this communication and attachments, if any, at the same time and in the same manner as it is being sent to the Court.

Regards,



Rogge



Rogge Dunn Group, PC  
500 N. Akard Street, Suite 1900  
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Fax (214) 220-3833

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# D DALLAS CEO 500 2022



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**--John F. Kennedy, Inaugural address Jan. 20, 1961**

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---

**From:** Rogge Dunn  
**Sent:** Friday, July 29, 2022 3:41 PM  
**To:** Jason Winford <[jwinford@grsm.com](mailto:jwinford@grsm.com)>  
**Cc:** Malerie Anderson Esq. --o/c ([manderson@cdklawfirm.com](mailto:manderson@cdklawfirm.com)) <[manderson@cdklawfirm.com](mailto:manderson@cdklawfirm.com)>; Greg McAllister  
**Subject:** FW: Does/Theta TRO to sign as to form only

Counsel,

Counsel for facility Corporation has signed the attached TRO (see below). Please review sign same and return to me

Regards,



Rogge



Rogge Dunn Group, PC  
500 N. Akard Street, Suite 1900  
Dallas, Texas 75201-6629

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---

**From:** Malerie Anderson <[manderson@cdklawfirm.com](mailto:manderson@cdklawfirm.com)>  
**Sent:** Friday, July 29, 2022 3:37 PM  
**To:** Greg McAllister <[McAllister@roggedunngroup.com](mailto:McAllister@roggedunngroup.com)>  
**Cc:** Rogge Dunn <[dunn@roggedunngroup.com](mailto:dunn@roggedunngroup.com)>; LaKeisha Phillips <[phillips@roggedunngroup.com](mailto:phillips@roggedunngroup.com)>; Kent Krause <[kkrause@cdklawfirm.com](mailto:kkrause@cdklawfirm.com)>  
**Subject:** Re: Does v Theta, et al

You may sign with my permission. This reflects the Court's ruling.

MTA

On Jul 29, 2022, at 1:33 PM, Greg McAllister <[McAllister@roggedunngroup.com](mailto:McAllister@roggedunngroup.com)> wrote:

Malerie – Please confirm if approved to add your e-signature on attached proposed TRO. Thanks, Greg

**Greg McAllister**  
Partner  
ROGGE DUNN GROUP, P.C.  
500 N. Akard Street, Suite 1900  
Dallas, Texas 75201  
[mcallister@roggedunngroup.com](mailto:mcallister@roggedunngroup.com)  
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<http://www.grsm.com>**

**CAUSE NO. CC-22-03989-A**

**JANE DOES 1, 2, 3, 4, 5, 6, 7, 8, and 9,  
and PARENT DOES 1, 2, 3, 4, and 5,  
*Plaintiffs,***

v.

**KAPPA ALPHA THETA  
FRATERNITY, INC. and BETA SIGMA  
CHAPTER of KAPPA ALPHA THETA  
FRATERNITY, INC., and BETA  
SIGMA FACILITY CORPORATION  
OF KAPPA ALPHA THETA  
FRATERNITY, INC.,**

***Defendants.***

**IN THE COUNTY COURT**

**AT LAW NO. 1**

**DALLAS COUNTY, TEXAS**

**TEMPORARY RESTRAINING ORDER**

On this day, the Court considered Plaintiffs<sup>1</sup> Original Petition and Application for Temporary Restraining Order and Injunction (“Petition”) with supporting documents and declarations verifying same filed against Kappa Alpha Theta Fraternity, Inc. (“Theta”); Beta Sigma Chapter of Kappa Alpha Theta Fraternity, Inc. (“Beta Sigma Chapter”); and Beta Sigma Facility Corporation of Kappa Alpha Theta Fraternity, Inc. (“Beta Sigma Facility Corporation”) (Beta Sigma Chapter and Beta Sigma Facility Corporation are collectively “Beta Sigma”).

During the hearing, Plaintiffs withdrew their requests for all other injunctive relief sought in their Original Application for Temporary Restraining Order based on a Rule 11 Agreement reached by Plaintiffs and Kappa Alpha Theta Fraternity, Inc. and Beta Sigma Facility Corporation of Kappa Alpha Theta Fraternity, Inc. without prejudice to seeking said relief at the Temporary Injunction hearing.

After reviewing the evidence, the pleadings, and hearing the arguments of the Parties, the

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<sup>1</sup> Plaintiffs are (a) Jane Does 1, 2, 3, 4, 5, 6, 7, 8, and 9 (collectively “Student Does”) and (b) Parent Does 1, 2, 3, 4, and 5 (collectively “Parent Does”). Collectively, Student Does and Parent Does are “Plaintiffs.”

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**TEMPORARY RESTRAINING ORDER**

Court makes the following findings of fact and issues the following orders:

It clearly appears that Plaintiffs established (1) a cause of action, (2) probable right to the relief sought, and (3) probable, imminent, and irreparable injury in the event this Temporary Restraining Order is not issued.

Specifically, it clearly appears that (1) Beta Sigma entered into a valid contract with Plaintiffs (whether express or implied) to provide housing to Plaintiffs and (2) Student Does suffered harm as a result of the breach and will suffer irreparable harm (for which there is no adequate remedy at law) as a result of the breach of the contract to provide housing in the absence of the issuance of this Temporary Restraining Order. Accordingly, it appears likely that Plaintiffs have a probable right to the relief sought on their breach of contract cause of action against Beta Sigma regarding the housing contract.

The Court further finds that Plaintiffs provided Defendants with adequate notice of the hearing on Plaintiffs' Application for Temporary Restraining Order. If any Defendant did not appear for the hearing for this Order and argue that this Order was issued *ex parte*, and such was necessary because it appears from the papers that Defendants will commit or continue to commit certain unlawful acts before additional notice of hearing on an application for temporary injunction can be served and the hearing held.

The Court enters this Order to maintain the status quo.

It clearly appears that unless Beta Sigma is subject to an order enjoining Beta Sigma, individually or jointly, and their agents, servants, employees, and others acting in concert or in participation with them, as follows,

1. Beta Sigma, individually or jointly, and their agents, servants, employees, and others acting in concert or in participation with them, is enjoined from not providing residential

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## TEMPORARY RESTRAINING ORDER

housing to the Student Does at the house located at 3108 University Boulevard, Dallas, Texas 75205; and

2. Beta Sigma, individually or jointly, and their agents, servants, employees, and others acting in concert or in participation with them, is enjoined from assigning or transferring the rights of the Student Does to reside at 3108 University Boulevard, Dallas, Texas 75205, then, Plaintiffs will suffer probable, imminent, and irreparable injury because:

1. Plaintiffs' damages and injuries are continuing and, to a large degree, incalculable, not an adequate remedy at law, and/or cannot be measured by any certain proper pecuniary standard; and
2. Certain Student Does need to be able to maintain status quo for certainty about their residences as school begins in 25 days.

**IT IS THEREFORE ORDERED** that this Temporary Restraining Order is hereby issued enjoining Beta Sigma, individually or jointly, and their agents, servants, employees, and others acting in concert or in participation with them from:

1. Not providing residential housing to the Student Does at the house located at 3108 University Boulevard, Dallas, Texas 75205; and
2. Assigning or transferring the rights of the Student Does to reside at 3108 University Boulevard, Dallas, Texas 75205.

from the date of the entry of this Order and until the 14<sup>th</sup> day after entry, or until further order of this Court, or agreement of the parties, extending the duration of this Temporary Restraining Order.

**IT IS FURTHER ORDERED** that Plaintiffs' Application for a Temporary Injunction shall be heard before the Honorable Judge D'Metria Benson of the County Court at Law No. 1 in Dallas County, Texas on the 17th day of August, 2022, at 2:00 p.m.

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#### **TEMPORARY RESTRAINING ORDER**

**IT IS FURTHER ORDERED** that the Clerk of the above-entitled Court shall forthwith, on the filing by Plaintiffs of the bond hereafter required, and on approving the same according to the law, issue a Temporary Restraining Order in conformity with the law and the terms of this Order.

**IT IS FURTHER ORDERED** that this Order shall not be effective unless and until Plaintiffs execute and file with the Clerk a Bond, in conformity with the law, in the amount of \$500.00, which the Court finds will adequately protect the interests of Beta Sigma pending a hearing on Plaintiffs' Application for Temporary Injunction.

Failure to comply with this Order will subject Beta Sigma and their agents, servants, employees, and others acting in concert or in participation with Beta Sigma to contempt proceedings before this Court.

SIGNED this the \_\_\_\_\_ day of \_\_\_\_\_, 2022, at \_\_\_\_\_, \_\_\_ m.

---

**JUDGE PRESIDING**

---

**TEMPORARY RESTRAINING ORDER**

**AGREED AS TO FORM ONLY**



---

Rogge Dunn  
Counsel for Plaintiffs

/s/ Jason Winford

Bob Bragalone  
Jason Winford  
Counsel for Kappa Alpha Theta Fraternity, Inc.

**AGREED AS TO FORM AND SUBSTANCE**

/s/Malerie Anderson

Malerie Anderson  
Counsel for Beta Sigma Facility Corporation of Kappa Alpha Theta Fraternity, Inc.

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**TEMPORARY RESTRAINING ORDER**